



United States Department of the Interior

BUREAU OF OCEAN ENERGY MANAGEMENT
WASHINGTON, DC 20240-0001

45600 Woodland Road, VAM-BOEM DIR
Sterling, VA 20166

Telephone (703) 787-1818
Facsimile (703) 787-1209

April 11, 2019

Via Electronic Mail: 70603-16016090@requests.muckrock.com

Beryl Lipton
MuckRock News
DEPT MR 70603
411A Hightland Drive
Somerville, MA 02144-2516

RE: Freedom of Information Act (FOIA) Request No. BOEM-2019-00105

Dear Beryl Lipton:

This letter is in reference to your FOIA request dated March 15, 2019 and received by the Bureau of Ocean Energy Management (BOEM) on the same date. Your request is assigned number BOEM-2019-00105. Please cite this number in any future communications with our office regarding your request.

Description of the Requested Records

You requested records concerning the FOIA Program: Budget and Staffing and FOIA request information including: fee categories, fee waivers, fee collections and audit reports The years of the requested material for each category range from 2017-2019.

The Bureau's Response

At this time, we are writing to respond to your FOIA request:

- Budget materials...for the years 2017, 2018, and 2019, all budget materials or plans applicable to offices responsible for processing and response to FOIA requests and appeals submitted to this Bureau and its offices.
 - BOEM has no responsive records. For BOEM's decentralized FOIA Program, there is no separate line item for FOIA costs or budget data.
- Staffing orders/reports/contacts
 - For the years 2017 and 2018, staffing reports and plans, including the count of employee numbers and for offices responsible for processing and responses to FOIA requests and appeals submitted to this Bureau and its offices.
 - BOEM located one page responsive to your request being released in its entirety.

- Staffing reports for years 2017 and 2018 are contained in the Department's FOIA Annual reports:
 - https://www.doi.gov/sites/doi.gov/files/uploads/doi_fy18_final.pdf
 - https://www.doi.gov/sites/doi.gov/files/uploads/doi_fy17_final.pdf
 - All staffing reports and plans for the year 2019
 - BOEM has no responsive records. For BOEM's decentralized FOIA Program, there is no separate line item for staffing reports and plans for the year 2019.
 - Contact information, including email addresses and phone numbers (if available), for each FOIA officer currently tasked with an open public records request:
 - BOEM's decentralized FOIA Offices have open requests in Headquarters and our Regional Offices. Contact information is located at on our website at <https://www.boem.gov/Requesting-Access-to-BOEM-Records/>
 - For:
 - FOIA requester categories...for the years 2017 and 2018, the designated category of each requester of a FOIA request to this office, including those assigned to the following categories [commercial; educational and noncommercial scientific institutions; representative of news media requester; all other requesters]
 - FOIA fee waivers...for the years 2017 and 2018, the number of fee waivers granted by this office and, if available, the tracking numbers for the FOIA requests to which waivers were granted
 - FOIA fee collection for the years 2017 and 2018, any report capturing...total estimated processing and copy fees quoted to FOIA requesters, total processing and copy fees collected by this Bureau from each fee category
 - Attached are two reports in Excel format "2019_0328_BOEM Open_Requests_Report" and "2019_0328_Fees_Report_Completed_Closed"
 - FOIA Policy Staff audit reports or summaries for the years 2017 and 2018, any and all reports of self-assessments conducted by FOIA Policy Staff
 - BOEM has determined the records you are seeking, if any exist, would be maintained by the Department of the Interior's FOIA Policy Office. Because you submitted an identical request to the DOI Office of the Secretary (OS) (No OS-2019-00587) on the same date, responsive records should be captured by your request. You do not have to contact OS FOIA at this time but if you choose to contact information is located at: <https://www.doi.gov/foia/contacts>

Fee Category

We classified you as an "other-use" requester. As such, we may charge you for some of our search and duplication costs, but we will not charge you for our review costs; you are also entitled to up to 2 hours of search time and 100 pages of photocopies (or an equivalent volume) free. *See* 43 C.F.R. § 2.39. We do not bill requesters when, after taking into consideration fee category entitlements, our processing costs are less than \$50.00 because the cost of collection would be greater than the fee collected. *See* 43 C.F.R. § 2.37(g). Therefore, there is no billable fee for the processing of your request.

Appeal Rights and Mediation Services

You may appeal this response to the Department's FOIA/Privacy Act Appeals Officer. If you choose to appeal, the FOIA/Privacy Act Appeals Officer must receive your FOIA appeal no later than 90 workdays from the date of this letter. Appeals arriving or delivered after 5 p.m. Eastern Time, Monday through Friday, will be deemed received on the next workday.

Your appeal must be made in writing. You may submit your appeal and accompanying materials to the FOIA/PA Appeals Officer by mail, courier service, fax, or email. All communications concerning your appeal should be clearly marked with the words: "FREEDOM OF INFORMATION APPEAL." You must include an explanation of why you believe BOEM's response is in error. You must also include with your appeal copies of all correspondence between you and BOEM concerning your FOIA request, including your original FOIA request and BOEM's response. Failure to include with your appeal all correspondence between you and BOEM will result in the Department's rejection of your appeal, unless the FOIA/PA Appeals Officer determines (in her sole discretion) that good cause exists to accept the defective appeal.

Please include your name and daytime telephone number (or the name and telephone number of an appropriate contact), email address and fax number (if available) in case the FOIA/PA Appeals Officer needs additional information or clarification of your appeal. You may contact the Department's FOIA/PA Appeals Office at:

Department of the Interior
Office of the Solicitor
1849 C Street, NW
MS-6556 MIB
Washington, DC 20240

Attn: FOIA/Privacy Act Appeals Office

Telephone: (202) 208-5339
Fax: (202) 208-6677
Email: FOIA.Appeals@sol.doi.gov

For more information on FOIA Administrative Appeals, you may review the DOI's FOIA regulations, 43 C.F.R. Part 2, Subpart H.

The 2007 FOIA amendments created the Office of Government Information Services (OGIS) to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS in any of the following ways:

The 2007 FOIA amendments created the Office of Government Information Services (OGIS) to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS in any of the following ways:

Office of Government Information Services
National Archives and Records Administration

8601 Adelphi Road – OGIS
College Park, MD 20740-6001

Email: ogis@nara.gov
Web: <https://ogis.archives.gov>
Telephone: (202) 741-5770
Fax: (202) 741-5769
Toll-free: (877) 684-6448

Please note that using OGIS services does not affect the timing of filing an appeal with the Department's FOIA/PA Appeals Officer. You may also contact the undersigned, BOEM's FOIA Public Liaison, for dispute resolution services.

Conclusion

If you have any questions concerning your request, you may contact us by email at boemfoia@boem.gov; by fax at (703) 787-1209; by phone at (703) 787-1818; or by postal mail at: FOIA Office; Bureau of Ocean Energy Management; Mail Stop: VAM-BOEM DIR; 45600 Woodland Road; Sterling, VA 20166.

Sincerely,



X_____

Natasha Alcantara
Freedom of Information Act Officer/Public Liaison
Bureau of Ocean Energy Management